

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ELEAZAR VILLEGAS,
Plaintiff,

v.

LAURIE SMITH, et al.,
Defendants.

Case No. 17-cv-05564-HSG (PR)

ORDER OF DISMISSAL

Plaintiff initiated this civil rights action under 42 U.S.C. § 1983 on September 26, 2017. Dkt. No. 1. At that time, Plaintiff was confined at the Santa Clara County Jail. *Id.* at 1. On November 1, 2017, this action was reassigned from Magistrate Judge Nandor J. Vadas to the undersigned because Plaintiff had not consented to the jurisdiction of a magistrate judge. Dkt. No. 6. The Reassignment Order was mailed to Plaintiff on the same day. On November 13, 2017, the Court's November 1, 2017 Reassignment Order was returned as undeliverable with a notation that Plaintiff was no longer in custody. Docket No. 8.

Pursuant to Northern District Local Rule 3-11, a party proceeding *pro se* must promptly file a notice of change of address while an action is pending. *See* L.R. 3-11(a). The Court may, without prejudice, dismiss a complaint when: (1) mail directed to the *pro se* party by the Court has been returned to the Court as not deliverable, and (2) the Court fails to receive within sixty days of this return a written communication from the *pro se* party indicating a current address. *See* L.R. 3-11(b).


More than sixty days have passed since the mail addressed to Plaintiff was returned as undeliverable. The Court has not received a notice from Plaintiff of a new address. Accordingly,

1 the instant civil rights action is DISMISSED without prejudice pursuant to Rule 3-11 of the
2 Northern District Local Rules.

3 The Clerk shall terminate any pending motions, enter judgment, and close the file.

4 **IT IS SO ORDERED.**

5 Dated: 1/26/2018

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8 HAYWOOD S. GILLIAM, JR.
9 United States District Judge
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